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UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK JOHN GIORDANO 05-CV-01018 (JSR) Plaintiff -against-MARKET AMERICA, INC. and THE CHEMINS COMPANY, INC.

STIPULATION OF DISMISSAL WITH PREJUDICE

Defendants,

The parties in the instant matter, having resolved the above captioned case by way of settlement, extinguishing all of plaintiff's claims against the defendants and the defendants' cross-claims, hereby Stipulate that the instant matter may be dismissed by the court, with prejudice.

Martin Block, Esq. Counsel for Plaintiff

John Giordano

Neil Coscio, Esq. MLC 7275

Counsel for Defendant Market America, Inc.

Edward J. Stolarski, Esq. Counsel for Defendant

The Chemins Company, Inc.

SO ORDERED: